

Statutes establishing the West Africa Water Partnership

PREAMBLE

We, the West Africa Water Partners, herein assembled under a Constitutive Assembly in Bamako from the 25th to the 27th of March 2002,

Concerned about both the quantitative and qualitative degradation of our water resources, environmental degradation as well as their negative consequences on the life of the people of West Africa;

Concerned about the numerous problems confronting West African States in their quest to ensure a sustainable balance between the increasing demand for water and the limited water resources;

Conscious of the fact that the sustainable management of the water resources of West Africa is one of the major stakes of the future;

Conscious of the fact that the provision of potable water and basic health services to the poor are some of the key elements of poverty reduction;

Conscious of the fact that the protection of freshwater resources and their quality can come about only through the integrated management of water resources in accordance with the provisions of Chapter 18 of Agenda 21 adopted by the United Nations Conference on Environment and Development held in Rio in June 1992;

Conscious of the fact that an integrated management of water resources requires the social mobilization of all stakeholders within the water sector;

Eager to co-operate in the water resources sector so as to help arrive at a consensus on water resources and their sustainable development within the sub-region;

Considering the existence of the Global Water Partnership (GWP), and adhering to its aims and organisation;

Considering the commitments inherent in the Ouagadougou Declaration of March 1998 adopted by the West African Conference on Integrated Water Resources Management;

Considering the constitutive meeting of the West Africa Technical Consultative Committee of the Global Water Partnership held in January 1999 in Ouagadougou;

Considering the West African Vision on water, life and environment in the 21st Century adopted in Ouagadougou and presented at the World Water Forum held in the Hague in March 2000;

Considering the adoption of the Regional Plan of Action on Integrated Water Resources Management for West Africa by the Conference of Heads of State and Governments of the Economic Community of West African States at Bamako in December 2000;

Considering the outcome of the consultative meeting of the West Africa Regional Partnership held in Lome on the 5th and 6th of July 2001;

HAVE DECIDED AS FOLLOWS:

TITLE 1 – GENERAL PROVISIONS

Chapter I – Definitions

Article 1:

Within the context of these statutes, the following terms shall be defined as follows:

- **Integrated Water Resources Management (IWRM, for short):** a process, which encourages coordinated management and development of water, land and related resources so as to ensure equitable maximization of the resultant economic and social well-being of the people without necessarily compromising the sustainability of the vital ecosystems. IWRM takes inspiration from the principles adopted at the Dublin and Rio conferences:
 - *Principle 1:* Freshwater is a limited and vulnerable resource, indispensable to the sustenance of life, development and the environment.
 - *Principle 2:* Water development and management must be based on a participatory approach with the involvement of users, planners and political decision-makers at all levels
 - *Principle 3:* Women play a dominant role in the provision, management and preservation of water
 - *Principle 4:* Water has an economic value in all its competitive uses and must be recognized as an economic good.

- **West Africa Vision for Water:** by the year 2025, water resources shall be managed efficiently, judiciously and in a sustainable manner so that access to potable and hygienic water enables us satisfy our essential needs, have access to sanitary installations, enjoy food security and poverty reduction as well as the protection of human health and the biodiversity of water and land ecosystems becoming a reality for all the inhabitants of the region.

Chapter II – Creation of the West Africa Water Partnership

Article 2

The West Africa Water Partnership, known in French as le Partenariat Régional de l'Eau de l'Afrique de l'Ouest, with the official acronym of GWP/WAWP herein referred to as the Partnership, shall be formed among the water partners of the sub-region, adhering to the to the present statutes.

Article 3

The Partnership shall be an autonomous association, non-lucrative, apolitical and non-religious, formed into a regional network of partners interested in the promotion of IWRM.

Article 4

The headquarters of the Partnership shall be established in Ouagadougou. It can be transferred elsewhere in West Africa by a straightforward decision of the General Assembly of Partners.

Chapter III – The Mission and Objectives of the Partnership

Article 5

The fundamental mission of the Partnership shall be to form alliances and reinforce the institutional capacities of its members in order to encourage and strengthen research, information and expertise networks on IWRM.

Article 6

The objectives of the Partnership shall consist of:

Promoting sustainable development through integrated management of water resources within the member countries and the hydro graphic basins;

Promoting the creation of National Water Partnerships (known in French as Partenariats Nationaux de l'Eau or PNE for short) in the countries of the sub-region and supporting all their programmes aimed at facilitating the creation of IWRM.

Promoting the adoption and the implementation of the good practices of IWRM at the regional, national, local and community levels;

Contributing to sustain the partnership idea in the area of water resources management at the global, regional and national levels;

Assisting countries of the West African sub-region to take stock of the management of their resources, identify the inadequacies and the emerging needs within the perspective of the creation of IWRM;

Sensitizing Governments and Developing Partners to provide the critical needs for IWRM in the West African sub-region;

Helping in the development of the tools of institutional, technical and financial management for the control and monitoring of water resources;

Developing permanent relationship among organizations, stakeholders and partners responsible for integrated water resources management and encouraging the exchange of know-how, expertise, experiences and integrated water management practices amongst them;

Promoting training, fundamental research and action-oriented research as well as the provision of information to members, locally-elected representatives of the people, the civil society, representatives of users, stakeholders in water management, leaders and personnel of organizations responsible for water management;

Encourage the education and sensitisation of the people on matters related to water resources;

Helping members disseminate the results of their activities carried out within the purview of the objectives pursued by the Partnership;

Creating and providing scientific, educational, judicial, economic, social and political forums at international, national, regional and local levels;

Helping to prevent or resolve conflicts related to the utilization of cross-border water resources.

Chapter IV – The Membership

Article 7

Only the following can be members of the Partnership:

- Governments, national water partnerships, sub-regional bodies of political and economic integration as well as non-governmental, national and international organisations;
- Local authorities;
- Bodies and authorities managing hydrographical basins;
- Organisations for bilateral and multilateral co-operation;
- Institutions of training and research;
- Enterprises, private companies and professional bodies;
- And all other stakeholders within the water sector recognising the principles of integrated water resources management as enshrined in the West African water vision and committing themselves to its implementation.

TITLE II – ORGANIZATION AND FUNCTIONING

Chapter I – The Organs of the West Africa Water Partnership

Article 8

The following shall be the organs of the Partnership:

- The Assembly of Partners (to be known for short as AP);
- The Steering Committee (to be known for short as SC);
- The Technical Committee (to be known for short as TC);
- The Executive Secretariat (to be known for short as ES)

Article 9

The organs of the partnership shall exercise their functions and work within the limits of the powers conferred on them by the present statutes.

Chapter II – The Assembly of Partners

Article 10

The Assembly of Partners shall be constituted by the totality of the membership of the Partnership.

Article 11

The Assembly of Partners shall be the controlling organ of the Partnership. It shall see to the proper fulfilment of the aims and objectives of the Partnership. For this reason, the Assembly of Partners shall exercise the following responsibilities, among others:

- Outline the strategic orientations of the Partnership and define its policy;
- Approve the appointment of the Chairman of the Partnership, the Steering Committee members as well as that of the Technical Committee Chairman and its members;
- Determine the levels of remuneration for the positions of the various organs of the Partnership;
- Examine the reports of the Steering Committee and the Executive Secretariat.

Article 12

The Assembly of Partners shall hold an ordinary session to be convened every two years by its Chairman, and in case of need, hold an extraordinary session according to the modalities defined in the Regulations of the Partnership.

Article 13

The Assembly of Partners shall preferably take its decisions by consensus.

Chapter III – The Chairman of the Partnership

Article 14

The Chairman of the Partnership shall preside over the Assembly of Partners and the Steering Committee. He shall be the official mouthpiece and representative of the Partnership in all its civil life transactions. He may delegate his powers to any member of the Steering Committee.

Article 15

The Chairman of the Partnership shall be recruited from among the political, scientific or technical personalities of the West African sub-region having a recognised experience in co-operation and partnership work as well as the ability to convince players in this field.

Article 16

The Chairman of the Partnership shall exercise the following responsibilities;

Assume responsibility of all the organs of the Partnership;

See to the implementation of the decision of the Assembly of Partners and the Steering Committee;

Take all initiatives suitable for the promotion of the Partnership at the global, regional and national levels;

Convene and preside over the General Assembly of the Partnership as well as the meetings of the Steering Committee;

Present a report on the Partnership to members;

Undertake financial negotiations;

Establish relationships with the Chairmen of other Regional Partnerships, the Presidency of the GWP, etc.

Article 17

The Chairman of the Partnership shall work on part-time basis for an annual duration specified in the Regulation. The duration of his/her term of office shall be two (2) years, renewable only once.

Article 18

The remuneration of the Chairman shall be proposed by the Steering Committee and approved by the Assembly of Partners.

Chapter IV – The Steering Committee

Article 19

The Steering Committee shall emanate from the Assembly of Partners.

It shall have the responsibility of:

Seeing to the implementation of the decisions of the Assembly of Partners aimed at achieving the objectives of the Partnership;

Formulating recommendations of the Assembly of Partners on all matters related to the life of the Partnership;

Approving the programmes and budgets drawn by the Executive Secretariat;

Proposing to the Assembly of Partners the appointment of the Chairman of the Partnership, the Executive Secretary and the Chairman of the Technical Committee;

All other duties that the Assembly of Partners may assign to it.

Article 20

The Steering Committee shall be composed of the following:

- Two representatives of the Countries Water Partnerships;
- Two representatives of partners countries;
- One representative of basins organisations
- One representative of non-governmental organisations;
- One representative of women organisations;
- One representative of youth organisations;
- One representative from inter-governmental organisations;
- One representative of training and research institutions;
- Two representatives of private institutions;
- One representative of the group of financial partners;
- Two representatives of professional water associations.

Also serving on the Steering Committee as permanent observers, shall be organisations for regional integration:

- The Economic Community of West African States (ECOWAS);
- The West African Economic and Monetary Union (UEMOA);
- and any other organisation whose permanent association with the Partnership can be considered useful by the Assembly of Partners

Article 21

The Steering Committee shall meet twice a year or more when the need arises.

Article 22

The Assembly of Partners shall choose the Steering Committee members from the membership of the Partnership. Each chosen partner shall designate a representative by name who remains that same person for the duration of his term of office. The activities performed by a Steering Committee member shall not be paid for.

Article 23

The duration of the mandate of members of the Steering Committee shall be two (2) years. A third of the membership shall be renewable every two years by the Assembly of Partners. The proposal for replacement shall be made by the Steering Committee subject to approval of the General Assembly.

Chapter V – The Technical Committee

Article 24

The Technical Committee shall be a consultative body with the duty of carrying out prospective reflection, giving its opinion and ensuring the quality control of all the activities of the Partnership. For this reason, it shall be responsible for:

Making reflections on IWRM and giving its technical opinion on the working programme of the Partnership

Analysing strategic matters impacting on water resources management;

Facilitating and supporting the drawing-up and the implementation of the programmes, schedules and plans of the Partnership;

Issuing directives on the choice of priorities and the quality control of proposed projects;

The drawing-up and the presentation of its own annual report of activities to the Steering Committee;

Bringing its expertise to the Executive Secretariat for the drawing-up of the terms of reference for consultants;

Approving thematic study reports done by consultants;

Forging relationships with the other regional Technical Committees and the Global Technical Committee;

Providing support to country water partnerships in the drawing-up of their work programmes and in the monitoring of the implementation of those programmes;

Representing the Partnership at technical and scientific meetings.

Article 25

The Technical Committee shall comprise six members, including the Chairman, selected by the Steering Committee after an invitation of applications for these positions.

The composition of the Technical Committee must reflect as much as possible the diversity of the scientific and technical areas which are of interest to the water sector. The members of the Technical Committee must have a high level of knowledge in these technical and scientific domains.

Article 26

The Technical Committee shall meet as and when it becomes necessary.

Article 27

A Chairman whose mandate shall last for three years, renewable only once shall head the Technical Committee.

Article 28

The Chairman of the Technical Committee as well as the members of the said committee shall be engaged on part-time basis by the Partnership on the recommendations of the Steering Committee. The number of working days of the Chairman and members is defined by the regulations.

Chapter VI – The Executive Secretariat

Article 29

The Executive Secretariat shall be headed by an Executive Secretary who is in charge of the administration and the day-to-day implementation of the programmes and decisions of the Partnership. He operates the secretariat of all the organs of the Partnership. He represents the Partnership at all meetings of the Countries Water Partnerships, He shall establish regular working relationship with the GWP secretariat and the secretariats of the other Regional Water Partnerships.

Article 30

The Executive Secretariat shall be responsible for:

Implementing the decisions of the Steering Committee and the Assembly of Partners;

Managing the totality of the Partnership heritage;

Monitoring the establishment of the Country Water Partnerships;

Monitoring and evaluation of the functions of the Country Water Partnerships;

Drawing up the programmes and budget of the Partnership;

Convening and organising meetings of all the organs of the Partnership;

Drafting the Partnerships financial demands, monitoring their mobilization and support to the Country Water Partnerships by way of helping them to mobilize their own funds.

Article 31

The internal organisation of the Executive Secretariat shall be proposed by the Executive Secretary and approved by the Steering Committee.

Article 32

The Executive Secretary shall, internally, perform the following functions:

He shall coordinate, monitor and see to the smooth performance of the activities of the Executive Secretariat;

He shall recruit the supporting staff of the secretariat and organise them appropriately;

He shall initial administrative documents and those linked to the execution of projects, contracts, conventions and related activities;

He shall prepare a working budget for the Partnership.

Article 33

The Executive Secretary shall be recruited by the Partnership on the advice of the Steering Committee. He shall serve a three-year term of office, which is renewable only once.

Article 34

The Executive Secretary and the supporting staff shall be employed on full-time basis. Their remuneration shall be fixed by the Steering Committee.

TITLE III – COUNTRY WATER PARTNERSHIPS

Article 35

In any country of the sub-region where a country water partnership is non-existent, the partners of that country must work together to create one. To this end, they can request for support from the Regional Water Partnership.

TITLE IV – GLOBAL WATER PARTNERSHIP (GWP)

Article 36

The GWP shall constitute a family in which the regional and countries water partnerships shall set for themselves the duty of promoting the values necessary for the development of IWRM. The West Africa Water Partnership shall subscribe to these values and observe the functioning guidelines adopted at the global level. It shall also contribute to the promotion of GWP

TITLE V – RESOURCES

Article 37

The resources of the Partnership shall comprise:

- The annual dues of the partners
- The voluntary contributions of bilateral and multilateral agencies and foundations of co-operation and development
- The financial contributions which might be required of participants attending meetings and events organised by the Regional Partnership;

- Subventions, gifts and legacies;
- and all other resources, compatible with the objectives of the Partnership and authorized by law, that the Steering Committee is capable of mobilizing.

TITLE VI – REGULATIONS

Article 38

The Steering Committee shall draw up regulations for the Partnership to be subjected to approval by the Assembly of Partners.

The regulations shall specify, among others, the internal rules that shall apply in the following areas:

- Conditions for membership, resignation and dismissal of members from the Partnership
- Conditions of eligibility for membership of the Steering Committee, the Technical Committee and the Executive Secretariat;
- Rules for human resources, material and financial management of the Partnership;
- Rules for internal control and procedure manual
- Settlement of disputes.

TITLE VII – FINANCIAL CONTROL

Article 39

The Steering Committee shall appoint auditors who shall be responsible for the preparation of a report on the sincerity and accuracy of the accounts of the financial year. The auditors report shall be presented at the statutory meeting of the Assembly of Partners.

TITLE VIII – AMENDMENT OF STATUTES

Article 40

Any amendments of the present statutes must be adopted by the Assembly of Partners.

TITLE IX – FINAL PROVISIONS

Article 41

Dissolution of the Partnership can only be declared by the Assembly of Partners. Like any decision of the Assembly of Partners, this decision can only be taken by consensus.

Article 42

In case of the pronouncement of dissolution, the assets of the Partnership shall be vested in the GWP or in another association of the sub-region pursuing similar goals.

Done at Bamako on the 26th March 2002

For the Assembly of Partners,

The Chairman